REMARKS/ARGUMENTS

In response to the Office Action dated February 7, 2007, Applicants respectfully request reconsideration.

Claim Rejections Under 35 U.S.C. §101

Claims 1-10 and 17-19

Claims 1-10 and 17-19 stand rejected under 35 U.S.C. §101 as lacking patentable utility. These claims are system claims and may be claimed using functional language. MPEP §2114. Applicants respectfully assert that there is no requirement that a system claim make a claim to performing recited functions, as this would then be a method claim. Applicants respectfully request citation to authority that the form of these claims is improper. Applicants respectfully assert that claims 1-10 and 17-19 satisfy 35 U.S.C. §101.

Claims 11-16 and 30-31

Claims 11-16 and 30-31 stand rejected under 35 U.S.C. §101 as lacking patentable utility. These claims recite computer program products residing on computer-readable media and comprising computer-readable instructions. The MPEP states that "a claimed computer-readable medium encoded with a computer program is a computer element which defines structural and functional interrelationships between the computer program and the rest of the computer which permit the computer program's functionality to be realized, and is thus statutory. See *Lowry*, 32 F.3d at 1583-84, 32 USPQ2d at 1035." MPEP §2106.01(I) (emphasis added). Claims 11-16 and 30-31 satisfy 35 U.S.C. §101.

Claim Rejections Under 35 U.S.C. §102

Claims 1-8, 10-16, and 20-31 stand rejected under 35 U.S.C. §102(e) as being anticipated by US Pat. App. Pub. No. 2003/00613351 A1 (Thomas).

Claims 1-8, 10

Applicants respectfully assert that independent claim 1 is, and its dependent claims are, patentable over Thomas. Thomas discusses a power management control system that

includes a server computer 16 for monitoring and controlling power usage/consumption, a local client computer 32, and a remote client computer 36. [0017 - 0019]. The computers 16, 32, 36 contain respective human-machine interface modules 64, 68, 70 and graphical user interfaces 66, 72, 74. [0023]. There is no discussion of the modules 64, 68, 70 or interfaces 66, 72, 74 being sent from the respective computers 16, 32, 36, or being sent to the computers 16, 32, 36 from a system configured to determine information regarding associated electric equipment. Claim 1, however, recites a system for use with electric equipment, the system comprising a monitor configured to determine information regarding the electric equipment, and an interface-provisioning device configured to convey a computer-executable program, configured to be executed by a computer to provide a computer interface, toward the computer via a second input/output device and a communication network. For at least these reasons, independent claim 1 and claims 2-8 and 10, that depend from claim 1, are patentable over Thomas.

Claims 11-16

Applicants respectfully assert that independent claim 11 is, and its dependent claims are, patentable over Thomas. As discussed above, there is no discussion in Thomas of the modules 64, 68, 70 or interfaces 66, 72, 74 being sent from the respective computers 16, 32, 36, or being sent to the computers 16, 32, 36 from a system configured to determine information regarding associated electric equipment. Independent claim 11, however, recites a computer program product residing on a computer-readable medium on a system coupled to electronic equipment, where the computer program product comprises computer-readable and computer-executable instructions for causing a computer to determine indications of operation of the electronic equipment, and convey a computer-executable program to a network toward a remote device to be executed by the remote device, the computer-executable program being configured to execute an interface application to provide a user interface for providing information regarding the operation of the electronic equipment, the interface being in a format different from a network-browser format. For at least these reasons, independent claim 11 and claims 12-16, that depend from claim 11, are patentable over Thomas.

Claims 20-29

Applicants respectfully assert that independent claim 20 is, and its dependent claims are, patentable over Thomas. Thomas discusses computers 16, 32, 36 that contain respective human-machine interface modules 64, 68, 70 and graphical user interfaces 66, 72, 74 for monitoring and controlling an electrical distribution system. [0023]. There is no teaching or suggestion of requesting information regarding electronic equipment using a network browser and executing a program to produce a user interface for providing the information where the interface is in a different format than that of the network browser. Claim 20, however, recites a method of providing information regarding electronic equipment, the method comprising receiving an information request regarding the electronic equipment from a network browser application of a requesting device, and executing a computer-executable user-interface program at the requesting device to produce a user interface for providing information regarding the operation of the electronic equipment, the interface being in a first format that is distinct from a second format associated with the network browser application. For at least these reasons, independent claim 20 and claims 21-29, that depend from claim 20, are patentable over Thomas. Further, claim 21 recites attempting to determine whether the requesting device currently stores a desired version of a computer-executable user-interface program, and claim 22 recites transferring the computer-executable program to the requesting device if attempting to determine fails to determine that the requesting device currently stores the desired version of the computer-executable user-interface program. Thomas does not teach or suggest these further features and thus claims 21 and 22 are further patentable over Thomas for at least these further reasons.

Claims 30-31

Applicants respectfully assert that independent claim 30 and its dependent claim are patentable over Thomas. As discussed, Thomas does not teach or suggest determining whether a desired version (e.g., the latest version) of a program for providing a user interface for providing information regarding operation of electronic equipment is stored at a device. Thomas discusses a version number of a virtual modular relay device 82. [0034]. This provides information from which a user can quickly identify a modular relay device. Id. Thomas does

not, however, discuss determining whether a desired version of a program for producing a Windows®-based interface is stored in association with a device. Claim 30, however, recites a computer program product for use with a first electronic device configured to monitor a second electronic device, the computer program product comprising an ActiveX control comprising instructions for causing a computer to execute an interface-producing program to produce a Windows®-based user interface and to determine whether a desired version of the interface-producing program is stored in association with the first device. For at least these reasons, independent claim 30 and claim 31, that depends from claim 30, are patentable over Thomas. Claim 31 is further patentable over Thomas at least because Thomas does not teach or suggest a computer program to access a remote server and download a desired version of the interface-producing program if the program fails to cause a computer to determine that the desired version of the interface-producing program is stored in association with the first device.

Claim Rejections Under 35 U.S.C. §103

Claims 9 and 17-19 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Thomas, in view of US Pat. No. 6,459,175 B1 (Potega).

Claim 9

Applicants respectfully assert that claim 9 is patentable over Thomas in view of Potega. Claim 9 depends from claim 1. Potega does not make up for the deficiencies noted above with respect to Thomas and thus claim 9 is patentable for at least the reasons discussed above with respect to claim 1.

Claims 17-19

Applicants respectfully assert that independent claim 17 is, and its dependent claims are, patentable over Thomas in view of Potega. As discussed above with respect to claim 1, there is no discussion in Thomas of the modules 64, 68, 70 or interfaces 66, 72, 74 being sent from the respective computers 16, 32, 36, or being sent to the computers 16, 32, 36 from a system configured to determine information regarding associated electric equipment. Claim 1,

however, recites an uninterruptible power supply (UPS) system comprising a monitor configured to determine information regarding power use and/or power needs of electric equipment, and an interface-provisioning means for conveying a computer-executable program for providing indicia of the information regarding the UPS system toward a computer via an input/output device and a communication network. Potega does not make up for the deficiencies of Thomas. For at least these reasons, independent claim 17 and claims 18-19, that depend from claim 17, are patentable over Thomas in view of Potega.

New Claims

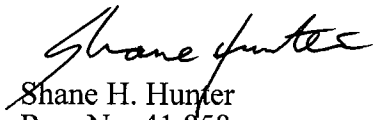
Applicants have added claims 32-33. These claims depend from claim 1 and are patentable for at least the reasons that claim 1 is patentable. No new matter is added by the claims.

CONCLUSION

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 858-350-6116.

Respectfully submitted,



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